

A COMPLAINT UNDER THE CIVIL RIGHTS ACT,
42 U.S.C. § 1983
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

RECEIVED

OCT 25 2017

U.S. DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

105750
Inmate (DOC) number

DEPUTY CLERK

LEROY ANTOINE LODGE, ET AL

(Enter above the full name of each
plaintiff in this action.)

VERSUS

LIBBY TIGNER, WARDEN;

WILLIAM SALVAGE, ASS. WARDEN; &

JAMES "JIMMY" F. BLANC, SEC. D.O.C. ET AL

(Enter above the full name of each
defendant in this action.)

Instructions for Filing Complaint by Prisoners
Under the Civil Rights Act, 42 U.S.C. § 1983.

This packet includes two copies of a complaint form and one copy of the pauper affidavit.

IF YOU ARE A PARISH PRISONER, you must file an original and one copy of your complaint for each defendant you name. For example, if you name two defendants, you must file the original and two copies of the complaint. You should also keep an additional copy of the complaint for your own records.

IF YOU ARE A D.O.C. PRISONER, you must file an original and one copy of your complaint. If the defendants are still employed by the Department of Public Safety and Corrections, only one service copy is needed. Otherwise, you must supply a copy of the complaint and the service address for each defendant no longer employed by the Department of Public Safety and Corrections.

All copies of the complaint must be identical to the original.

The names of all parties must be listed in the caption and in part III of the complaint exactly the same.
In order for this complaint to be filed, it must be accompanied by the filing fee of \$ 250.00. In addition, the United States Marshal will require you to pay the cost of serving the complaint on each of the defendants.

If you are unable to pre-pay the filing fee and service costs, you may petition the court to proceed in forma pauperis. For this purpose, a pauper affidavit is included in this packet. You must sign the affidavit, and obtain the signature of an authorized officer certifying the amount of money in your inmate account. If pauper status is granted, you will be required to pay an initial partial filing fee and thereafter, prison officials shall be ordered to forward monthly payments from your inmate account until the entire filing fee is paid.

You will note that you are required to give facts. **THIS COMPLAINT SHOULD NOT CONTAIN LEGAL ARGUMENTS OR CITATIONS. ALSO, DO NOT INCLUDE EXHIBITS.**

I. Previous Lawsuits

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No (✓)

B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiff(s): N/A
N/A

Defendant(s): N/A
N/A

2. Court (if federal court, name the district; if state court, name the parish):

N/A

3. Docket number: N/A

4. Name of judge to whom case was assigned: N/A
N/A

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5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?):

N/A

6. Date of filing lawsuit: N/A

7. Date of disposition: N/A

C. Have you had any previously filed federal lawsuits or appeals, whether or not related to the issues raised in this complaint, dismissed by any federal court as frivolous, malicious, or for failure to state a claim for which relief can be granted?

Yes() No(✓)

If your answer is yes, list the civil action numbers and the disposition of each case. You must identify in which federal district or appellate court the action was brought.

N/A

II. Place of present confinement: RIVER CORRECTIONAL CENTER; 26362-Hwy 15; Ferriday, LA, 71334-0052

A. Is there a prisoner grievance procedure in this institution? Yes(✓) No()

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes(✓) No()

C. If your answer is Yes:

1. Identify the administrative grievance procedure number(s) in which the claims raised in this complaint were addressed. DEFENDANT(S) REFUSED ACKNOWLEDGEMENT OF COMPLAINT(S) UNTIL 09/12/17; WHEREIN, A VERBAL AGREEMENT WAS THAT THE ISSUES WOULD BE ADDRESSED AND RESOLVED.

2. What steps did you take? FILED MULTIPLE COMPLAINT/GRIEVANCE FORMS WHICH I HAVE COPIES OF, THAT WERE THEN DEPOSITED INTO THE LOCKER BOXES LOCATED OUTSIDE THE PRISON FACILITY'S DINING ROOM, AT RIVER CORRECTIONAL CENTER.

3. What was the result? NO RESPONSE WAS GIVEN ME UNTIL 09/12/17, WHEREIN AN AGREEMENT WAS COVERED BY DEFENDANT SAYING HE PERSONALLY WOULD CORRECT AND RESOLVE THREE (3) OF PLAINTIFF'S COMPLAINTS, WHICH BECAME A HOLD-TOSS I.E. TO PLAINTIFF.

D. If your answer is No, explain why not: N/A

III. Parties

(In Item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff(s) LEROY ANTOINE LODGE, DOC# 105750

Address R.C.C. DAM G bed 38; 26362-Hwy 15; Ferriday, LA, 71334-0052

In Item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item C for the names, positions, and places of employment of any additional defendants.

B. Defendant Libby Tigner is employed as WARDEN at RIVER CORRECTIONAL CENTER
26362 - Hwy 15; FERRIDAY, LOUISIANA 71334-0052

C. Additional Defendants: William Salvage is employed as Assistant Warden
at RIVER CORRECTIONAL CENTER 26362 - Hwy 15; FERRIDAY LOUISIANA
71334-0052

D. Additional Defendants: JAMES M. LEBLANC is employed as SECRETARY
at DEPARTMENT OF CORRECTIONS (DOC) CAPITAL STATION POST OFFICE
Box 94304, Baton Rouge, Louisiana 70804-9304

- IV. Statement of Claim
 State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not given any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Plaintiff contends that all defendants have failed on implementing a grievance procedure at R.C.C., which is in compliance and in accordance with the law as prescribed. Plaintiff notes further that, while housed at R.C.C., plaintiff has set forth meritorious claims for cause of action, which has resulted in the deliberate and intentional denying and delay for review, as well as access to the court.

Upon arrival at the facility (R.C.C.), all inmates are provided with: River Correctional Center Officers Disciplinary Rules and Procedures Facility Guidelines & Policies, dated June 2016, Libby Tigner - Warden Handbook. Which consist of some thirty-five (35) pages.

In part, pgs. 14 & 15 states: "River has established a Grievance Procedure. This procedure allows an offender to request a review of his complaint or grievance."

While housed at R.C.C. since arrival on July 24, 2017, plaintiff submitted various request and grievances into the proper designated mail boxes located at the entrance door to the facility's dining room, properly addressed to the person's Unit Head Libby Tigner, Warden, Franking Warden Tigner on September 12, 2017, concerning her abandonment of plaintiff's request and grievances. Defendant Tigner's response was: "Allow her to copy the complaints and that she would get on them right away". Well, Defendant Salvage reviewed three (3) of the complaint's, copied them, and swore on correcting the problems complained of, by the plaintiff, on the call 11/7.

Plaintiff avers even further that, Defendant LeBlanc, is the custodian for whom Orleans Justice Center released plaintiff custody into; furthermore, plaintiff submitted his grievance of the many violations which are prevalent here at R.C.C., directly to the office of defendant LeBlanc, which has refused acknowledgment, as well as, correction to the many violations of State & Federal Constitutions, which are did under color of State Law by the defendant(s).

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no

cases or statutes. Attach no exhibits.

1) Conduct a thorough and complete investigation into the allegations set forth in this petition 2) Reinstate the three (3) grievances signed on call 11/7, as being resolved, for review and correction 3) Grant plaintiff's petition in full, awarding disciplinary, punitive, mental anguish and court cost, also, any other monetary damages the court deems necessary 4) Allow the petition of offenders to rightfully be joined with plaintiff in this action, which consist of twenty-five (25) other offenders (5) that the sum of \$2700 each day be awarded all plaintiff's for each day spent at River Correctional Center 6) Finally, that the facility be closed for clean-up and adequate training of all its staff.

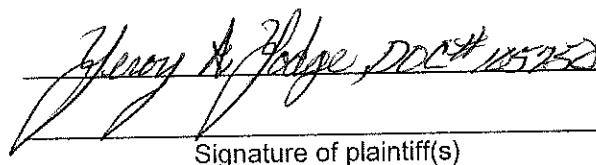
VI. Plaintiff's Declaration

1. I understand that I am prohibited from bringing a civil action in forma pauperis if, while I was incarcerated or detained in any facility, I have brought three or more civil actions or appeals in a court of the United States that were dismissed on the grounds that they were frivolous, malicious, or failed to state a claim upon which relief maybe granted, unless I am in imminent danger of serious physical injury.

2. I understand that even if I am allowed to proceed in forma pauperis, I am responsible for paying the entire filing fee and any costs assessed by the Court, which, after payment of the partial initial filing fee, shall be deducted from my inmate account by my custodian in installment payments as prescribed by law.

3. I understand that if I am released or transferred, it is my responsibility to keep the Court informed of my whereabouts and failure to do so may result in this action being dismissed with prejudice.

Signed this 21st day of October, 2017.


Signature of plaintiff(s)